

Hearing Date: April 20, 2022 at 10:00 am

Objection Date: March 15, 2022

Reply Date: March 31, 2022

**UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK**

In re:

Fairfield Sentry Limited, et al.,

Debtors in Foreign Proceedings.

Fairfield Sentry Limited (In Liquidation),

Plaintiff

-against-

Theodoor GGC Amsterdam, et al.

Defendants.

This Notice of Motion to Dismiss is related to  
the Following Adversary Proceeding:

10-03635

Chapter 15 Case

Case No. 10-13164 (CGM)

Jointly Administered

Adv. Pro. No. 10-03496 (CGM)

Administratively Consolidated

**ORAL ARGUMENT REQUESTED**

**NOTICE OF MOTION TO DISMISS**

PLEASE TAKE NOTICE that, upon the accompanying Memorandum of Law in Support of Defendant Edmond de Rothschild (Suisse) S.A.'s Motion to Dismiss, the Plaintiffs' Fifth Amended Complaint dated August 11, 2021, in the above-captioned action, set forth at Exhibit A hereto, and all prior pleadings and proceedings herein, Defendant Edmond de Rothschild (Suisse) S.A. ("Defendant") (sued as Rothschild Bank Geneva (Dublin)), individually and as successor-in-interest to Sella Bank AG and defendant Rothschild Lugano Dublin a/k/a Banca Privata Edmond de Rothschild Lugano S.A., will move this Court for an order dismissing with prejudice the complaint filed by the Liquidators of Fairfield Sentry Limited and Fairfield Sigma

Limited, pursuant to Rule 12(b)(2) of the Federal Rules of Civil Procedure, made applicable here by Rule 7012 of the Federal Rules of Bankruptcy Procedure.

PLEASE TAKE FURTHER NOTICE that, pursuant to Rule 7012(b) of the Federal Rules of Bankruptcy Procedure, Defendant does not consent to the entry of final orders or judgment by this Court.

Dated: October 29, 2021  
New York, New York

Respectfully Submitted,

ALLEGERT BERGER & VOGEL LLP

By: /s/ John F. Zulack

John F. Zulack  
Christopher Allegaert  
Lauren J. Pincus  
Bianca Lin

111 Broadway, 20<sup>th</sup> Floor  
New York, New York 10006  
Tel. No.: 212-571-0550  
Email: jzulack@abv.com  
Email: callegaert@abv.com  
Email: lpincus@abv.com  
Email: blin@abv.com

*Counsel for Defendant Edmond de Rothschild (Suisse) S.A. (sued as Rothschild Bank Geneva (Dublin)), individually and as successor-in-interest to Sella Bank AG and defendant Rothschild Lugano Dublin a/k/a Banca Privata Edmond de Rothschild Lugano S.A.*